

TIVERTON TOWN COUNCIL

Regular Meeting: Monday, June 22, 2009 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 seventy-two (72) hours in advance of the meeting date.

DATE POSTED: 06-18-09

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Donald Bollin-President Jay Lambert

JoAnne Arruda-Vice President Cecil E. Leonard

Hannibal Costa Edward Roderick

Louise Durfee

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes from June 8, 2009 Regular Council Meeting

b. Approval of Executive Session Minutes from June 8, 2009 Council Meeting

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Art's Council d. Open Space Commission

b. Cemetery Commission e. Prevention Coalition

c. Historical Cemetery f. Recreation Commission

(C.A.) 3. Correspondence – Receive and File

a. Received From Town of Westerly Regarding Resolution in Support of U.S. Supreme Court Opinion in *Carcieri v Salazar*-Rhode Island Land Governed by State Law and Municipal Ordinances

b. Received From Town of Charlestown Regarding Resolution Opposing Electric Rate Increase

c. Received From Town of Charlestown Regarding Resolution Opposing Health Insurance Rate Hikes

d. Received From Alliance to Preserve Tiverton's Quality Commending Council and Particularly Councilor Leonard for His Leadership Role on May 11th Council Meeting for Adoption of Council Goals

(C.A.) 4. a. Town of Tiverton Resolution Opposing Electric Rate

Increase

b. Town of Tiverton Resolution Opposing Health Insurance Rate Hikes

(C.A.) 5. Distribution of Treasurer's Budget and Revenue Report Dated June 15, 2009

(C.A.) 6. Susan Medeiros, FSAH Bike Ride – Request Permission to Host 4th Annual Bike

Ride Thru Town of Tiverton – Response From Police Department

(C.A.) 7. Recreation Commission – Request Workshop to Discuss Fund Raising Ideas for

Bulgarmarsh Field and Plan – Scheduled for June 29, 2009

B –PUBLIC HEARING –ADVERTISED

1. Joint Public Hearing on Comprehensive Plan Update with Planning Board

2. Town Clerk – Request Approval of Amendment to Article II, Chapter 78- Traffic and Vehicles- Section 37, Stop Streets for Addition of Stop Sign at the South East Corner of Roosevelt Avenue at the Intersection of Roosevelt Avenue and Bulgarmarsh Road

3. Karen Lucas for St. Theresa's Parish, 265 Stafford Road – Request Noise Ordinance Variance for Annual Feast on July 31st and August

1st, 2009 between 6:00p.m.to 9:00 p.m. – Subject to Meeting All Legal Requirements

C- BOARD OF LICENSING COMMISSIONERS

1. Karen Lucas for St. Theresa's Parish, 265 Stafford Road – Request (3) Class F Liquor Licenses for Annual Parish Festival Subject to Meeting All Legal Requirements

a. July 31, 2009 between 5:00 p.m. to 10:00 o'clock p.m.

b. August 1, 2009 between 12:00 p.m.to 10:00 p.m.

c. August 2, 2009 between 12:00 p.m. to 10:00 p.m.

D – FINANCIAL BUSINESS:

1. Town Administrator – Request Approval of Council Carry Forward

a. \$40,763.90 in Acct# 1-100-102-799-00 (Future Needs) to 2009-10 F/Y

b. \$15,000 in Acct# 098-997 (Fogland Beach Map and Survey)

c. \$9,920 in Acct# 554-452Grass & Brush Cutting for Spring Road Side Cutting

2. Town Administrator – Request Approval of Transfers per Attached List

3. Town Treasurer – Request Transfer of \$3,399.40 from Acct# 214-101(Treas Clerical) to Acct#214-101 (Treasurer Salary)

4. Town Administrator/Zoning – Request Authorization to Carry Forward \$805.49 from 2008-09 Carry Forward Acct# 098-108-340 (Zoning Board of Review Stenographer) to 2009-10 F/Y in a Restricted Account

E - APPOINTMENTS & RESIGNATIONS:

1. Approval of Boards and Commissions

Attached Listing

F - UNFINISHED BUSINESS:

1. Chris Spencer, Town Planner – Request Public Hearing on Proposed Zoning

Changes

2. Tiverton Recycling/Landfill Committee – Recommendation for a “Pay As You Throw” Trash Program

G - NEW BUSINESS:

1. Leroy Kendrecks, WWMC Chairman – 2010 State Revolving Fund Submittals – Proposed Projects for RIDEM Project Priority List

2. Town Administrator – Discussions Regarding Continued Maintenance and Future of Nonquit and Ranger School Buildings

H – BIDS AND REQUESTS FOR PROPOSALS

1. Town Administrator/ DPW Director – Request Award of Bids as Recommended by DPW Director – Continued From June 8th Meeting

a. Bituminous Concrete Paving to P. J. Keating Co.

b. Road Materials to G. Lopes Construction, Inc.

c. Catch Basin Blocks to Hi-Way Concrete Products Co., Inc.

d. Unleaded Gasoline and Dyed Off-Road Diesel Fuel to Buckley

Energy Group

2. Town Administrator/Senior Director – Recommend Authorization of Bid Award to

Low Bidder Hetzler Contracting for Repair of Senior Center Roof Pursuant to

Meeting All Federal and State Guidelines

I - TOWN ADMINISTRATOR ANNOUNCEMENTS, COMMENTS AND QUESTIONS

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ANNOUNCEMENTS, COMMENTS AND QUESTIONS

5. CLOSED EXECUTIVE SESSION

1. Town Solicitor - Litigation – 42-46-5(a) (2)

2. Town Administrator – 42-46-5(a)(2) – Collective Bargaining - Teamsters, IAFF and IBPO

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended.

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing

contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”